

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2009-64-T - ORDER NO. 2010-16

JANUARY 21, 2010

IN RE:	Application of A & G Transportation)	ORDER RESCINDING
	Services, Inc., 528 Edgefield Road, Suite F,)	ORDER NO. 2009-125
	Belvedere, South Carolina 29841 (District 3))	
	for a Class C Non-Emergency Certificate of)	
	Public Convenience and Necessity)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Motion of the Office of Regulatory Staff (ORS) to rescind Commission Order No. 2009-125 issued to A & G Transportation Services, Inc. (A & G or the Applicant) as the result of the failure of the Applicant to comply with certain rules of this Commission. By Order No. 2009-125, dated March 5, 2009, A & G was granted authority to operate as a motor carrier in South Carolina under a Class C Non-Emergency Certificate of Public Convenience and Necessity.

In Order No. 2009-125, the Commission directed the Applicant to file, or cause to be filed, with the ORS the proper license fees, proof of liability insurance, and other information required by S.C. Code Ann. Section 58-23-10 et seq. (1976), as amended, and by 26 S.C. Code Ann. Regs. 103-100 through 103-241 (Supp. 2009) of the Commission's Rules and Regulations for Motor Carriers, and 23A S.C. Code Ann. Regs. 38-400 through 38-503 (Supp. 2009) of the Department of Public Safety's Rules and Regulations for Motor Carriers, within sixty (60) days of the date of the Order, or within such additional time as may be authorized by the Commission.

Further, Order No. 2009-125 instructed A & G that the failure to either complete the certification process by complying with the requirements of filing with the ORS proof of appropriate insurance, payment of license fees, and such other information required by law within sixty (60) days of the date of the Order or to request and obtain from the Commission additional time to comply with the stated requirements, may result in the Applicant's authorization being revoked.

By Motion filed December 10, 2009, ORS requests rescission of Order No. 2009-125. According to ORS, the license decal application form and the decal fee have not been received from A & G as required by 26 S.C. Code Ann. Regs. 103-151(1). As a result of A & G's failure to provide to the ORS the appropriate license decal application form and decal fee, ORS states that it has not issued a Certificate of Public Convenience and Necessity to the Applicant and requests that the Order No. 2009-125 be rescinded for the Applicant's failure to comply with the terms of the Order.

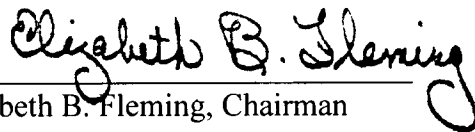
After consideration of ORS' Motion, the Commission is of the opinion, and so finds, that Order No. 2009-125 granting A & G authority to provide motor carrier services should be rescinded.

IT IS THEREFORE ORDERED:

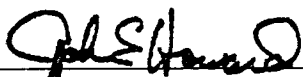
1. That Commission Order No. 2009-125, dated March 5, 2009, granting authority to A & G Transportation Services, Inc. to provide motor carrier services under a Class C Non-Emergency Certificate of Public Convenience and Necessity is rescinded.
2. That Docket No. 2009-64-T is closed.

3. That this Order shall remain in full force and effect until further Order of this Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John E. Howard, Vice Chairman

(SEAL)